

FAX COVER SHEET

Berry & Associates, P.C.
Customer Number: 49632
9255 Sunset Boulevard, Suite 810
Los Angeles, CA 90069
Phone: (310) 247-2860
Fax: (310) 247-2864

RECEIVED
CENTRAL FAX CENTER

AUG 04 2005

Date/Time: 2005-08-04 19:44:21 GMT

To Fascimile Number: 15712738300

Attention: MAIL STOP RCE

Company: USPTO

Re: App. No. 09/940,321; Docket No. 3689-Palm

Cover Message:

**Please consider the attached RCE in the
above-referenced case.**

Respectfully submitted,

Berry & Associates, P.C.

**This message contains PRIVILEGED AND CONFIDENTIAL ATTORNEY
CLIENT INFORMATION AND/OR ATTORNEY WORK PRODUCT exclusively for
intended recipients. Please DO NOT FORWARD OR DISTRIBUTE to
anyone else. If you have received this facsimile in error,
please call (410) 414-3056 to report the error and then destroy
all the pages of the facsimile.**

RECEIVED
CENTRAL FAX CENT

AUG 04 2005

PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB:0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/940,321
Filing Date	August 27, 2001
First Named Inventor	Eric Lapuyade, et al.
Art Unit	2161
Examiner Name	Etienne Pierre LeRoux
Attorney Docket Number	3689.PALM

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed, unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. Other _____

b. Enclosed:

i. Amendment/Reply
ii. Affidavit(s)/Declaration(s) iii. Information Disclosure Statement (IDS)
iv. Other _____

2. **Miscellaneous**

a. period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to
a. Deposit Account No. 50-3102. I have enclosed a duplicate copy of this sheet.

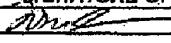
b. RCE fee required under 37 CFR 1.17(e) 08/08/2005 MBINAS 00000008 503102 09940321
ii. Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 DA
iii. Other _____

b. Check in the amount of \$ _____ enclosed.

c. Payment by credit card (Form PTO-2038 enclosed)

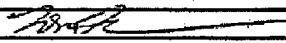
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	August 4, 2005
Name (Print/Type)	Thomas M. Isaacson	Registration No.	44166

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature: 

Name (Print/Type): Thomas M. Isaacson Date: August 4, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.